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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/382,426	08/24/1999	JEFFRY JOVAN PHILYAW	PHLY-24.732	5220

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EXAMINER
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FADOK, MARK A

ART UNIT	PAPER NUMBER
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3625

DATE MAILED: 03/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/382,426	<b>Applicant(s)</b> PHILYAW ET AL.	
	<b>Examiner</b> Mark Fadok	<b>Art Unit</b> 3625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 14 December 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

***Response to Amendment***

The examiner is in receipt of applicant's response to office action mailed June 15, 2004, which was received 12/14/2004. Acknowledgement is made to the amendment to claims 1,2,3,14,15 and 16, leaving claims 1-27 as pending in the instant application. The applicant's arguments and amendments have been carefully considered and were found to be persuasive, however after further searching the following new grounds of rejection are provided.

**Examiner's Note**

Examiner has cited particular columns and line numbers or figures in the references as applied to the claims below for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant, in preparing the responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

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invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 1-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Furst (6,297,819) further in view of Reber (5,930,767), in view of Light (6,192,380) and further in view of Official Notice.**

**In regards to claim 1**, Furst discloses a method of processing profile information of a user for conducting an on-line transaction between the user and a vendor, comprising the steps of:

entering profile information of a user into a profile form at a user location disposed on a network prior to conduction of an on-line transaction between the user and the vendor, the vendor disposed at a vendor location on the network (col 4, lines 45-56 and col 3, lines 15-25);

Furst teaches providing a unique ID provided by the user that identifies the user when the user logs in accessing a database of profile information to create customized web pages (col 4, lines 57-62), but does not specifically mention that the ID for identifying the user is a barcode. Reber teaches identifying a user by use of a provided bar code to initiate a transaction. It would have been obvious to a person having ordinary skill in the art to include in Furst, providing a bar code, because this would allow the user to log in from multiple computers thus making the login process more flexible.

providing to the vendor location by the user the bar code for purchase of a product of the vendor, during the on-line transaction, which on-line transaction requires the user to view a vendor payment form at the user location representing information about the transaction, and which vendor payment form includes fields that are associated with information obtainable from the stored profile information of the user and which must be viewed by the user prior to the on-line transaction (col 11, lines 55-65);

providing the stored profile information from the second location to the vendor location in response to the vendor location retrieving and processing the bar code (col 4, lines 57-63 and col 11, lines 55-65); and

automatically inserting by the vendor a portion of the stored profile information of the user into the vendor payment form for respective associated fields therein for presentation to the user location (col 11, lines 55-65).

Furst teaches inserting information into a form from stored customer data (col 11, lines 55-65 and col 12, lines 10-26) and maintains the capability of customized web pages conforming to a standard form recognizable by the user (col 3, lines 15-20), but does not specifically mention that when the user receives the form for viewing, such insertion has already occurred. Light teaches identifying forms that are present in web pages and automatically filling in the information from a stored profile. It would have been obvious to a person having ordinary skill in the art at the time of the invention to include in Furst identifying forms within a web page for auto filling, because this would provide increased functionality to the system of Furst and allow the third party vendors

to increase revenue due to convenience (col 2, lines 39-45). It is further noted that it was well within the skill of a person of ordinary artisen at the time of the invention to fill the forms before they reached the view of the user. The combination of Furst and Light would be motivated to accomplish this because this would create additional functionality that is independent of the website and provide a more transparent fell to the site (col 2, lines 55-60).

**In regards to claim 2,** Furst teaches wherein the user fills in the profile form only one time (light FIG 3).

**In regards to claim 3,** Furst teaches wherein the profile information is transmitted to the second location over a public switched telephone network (Light col 3, line7)

**In regards to claim 4,** Furst teaches wherein the vendor location receives the profile information from the second location in response to the vendor location transmitting the barcode to the second location (Reber, FIG 10).

**In regards to claim 5,** Furst teaches wherein the bar code is unique and has a unique ID number associated therewith (col 4, lines 47-55).

**In regards to claim 6**, Furst teaches wherein the user provides the unique ID number to the vendor location for payment purposes (col 2, lines 39-47).

**In regards to claim 7**, the combination of Furst/Reber and Light teach providing information over a secure network, but do not specifically mention that the information is encoded in the form. It was old and well known in the art at the time of the invention to provide sensitive information in an encoded form. It would have been obvious to a person having ordinary skill in the art to include in Furst/Reber and Light entering profile information into the payment form as encoded information, because this would provide additional security when the information is provided back over the internet and prevent theft of the data thus improving the confidence of the user in the system.

**In regards to claim 8**, it was old and well known in the art to secure only certain information. It would have been obvious to a person having ordinary skill in the art to only code sensitive information because this would save programming time by not having to secure all the provided information.

**In regards to claim 9**, Furst teaches wherein the portion of the profile information is credit information (Light col. 1, lines 35-40).

**In regards to claim 10**, It would have been obvious to include in the combination of Furst/Reber and Light, name, address, ship-to address, and credit information in a

profile database, because this is notoriously well known information that is provided in most forms, thus providing this information automatically will reduce the amount of time needed to fill the form.

**In regards to claim 11**, Furst teaches wherein the second location is a central registration server having a database of the profile information associated with respective unique bar codes and unique ID numbers (col 4, lines 45-67).

**In regards to claim 12**, Furst discusses a core provided system, but does not specifically mention that the core provided is at a credit card company server. It would have been obvious to a person having ordinary skill in the art to place the core provider at a credit card company, because preventing the use of the system at credit card companies would reduce potential revenue.

**In regards to claim 13**, Furst teaches wherein the bar code is placed on a credit card (Reber, FIG 3).



**In regards to claim 14**, Furst discloses a system for processing profile information of a user for conducting an on-line transaction between the user and a vendor, comprising:

profile information of a user entered into a profile form at a user location disposed on a network prior to conduction of a an on-line transaction between the user and the vendor, the vendor disposed at a vendor location on the network;

a barcode representing stored profile information of the user issued in response to the user transmitting the profile form from the user location to a second location on the network for storage there at, the second location disposed on the network;

wherein said bar code is provided to the vendor location by the user for purchase of a product of the vendor, during the on-line transaction, which on-line transaction requires the user to view a vendor payment form at the user location representing information about the transaction, and which vendor payment form includes fields that are associated with information obtainable from the stored profile information of the user and which must be viewed by the user prior to the on-line transaction;

wherein said profile information from the second location to the vendor location in response to the vendor location processing the bar code; and

wherein at least a portion of said stored profile information of the user is automatically inserted into the vendor payment form for respective associated fields therein for presentation to the user location after such insertion such that, when the user

receives the form for viewing, such insertion has already occurred (see response to claim 1).

**In regards to claim 15,** Furst teaches wherein the user fills in the profile form only one time (see response to claim 2)

**In regards to claim 16,** Furst teaches wherein the profile form is transmitted to the second location over a public switched network (see response to claim 3).

**In regards to claim 17,** Furst teaches wherein the vendor location receives the profile information from the second location in response to the vendor location transmitting the barcode to the second location (see response to claim 4).

**In regards to claim 18,** Furst teaches wherein the bar code is unique and has a unique ID number associated therewith (see response to claim 5).

**In regards to claim 19,** Furst teaches wherein the user provides the unique ID number to the vendor location for payment purposes (see response to claim 6).

**In regards to claim 20,** Furst teaches wherein all of the profile information to be entered into the payment form as encoded information (see response to claim 7).

**In regards to claim 21,** Furst teaches wherein only a portion of the profile information to be entered into the vendor payment form as encoded information (see response to claim 8).

**In regards to claim 22,** Furst teaches wherein the portion of the profile information is credit information (see response to claim 9).

**In regards to claim 23,** Furst teaches wherein the portion of the profile information comprises name, address, ship-to address, and credit information (see response to claim 10).

**In regards to claim 24,** Furst teaches wherein said second location is a central registration server having a database of the profile information associated with respective unique bar codes and unique ID numbers (see response to claim 11).

**In regards to claim 25,** Furst teaches wherein the second location is a credit card company server See response to claim 12).

**In regards to claim 26,** Furst teaches wherein the bar code is placed on a credit card (see response to claim 13).

In regards to claim 27, Furst teaches wherein said second location is a central registration server having a database of said profile information associated with respective said bar code and said ID number (see response to claim 11).

### ***Response to Arguments***

Applicant's arguments with respect to claims 1-27 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Mark Fadok** whose telephone number is **(703) 605-4252**. The examiner can normally be reached Monday thru Thursday 8:00 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Wynn Coggins** can be reached on **(703) 308-1344**.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the **Receptionist** whose telephone number is **(703) 308-1113**.

Any response to this action should be mailed to:

***Commissioner for Patents***

***P.O. Box 1450***

***Alexandria, Va. 22313-1450***

or faxed to:

**(703) 872-9306** [Official communications; including  
After Final communications labeled  
"Box AF"]

**(703) 746-7206** [Informal/Draft communications, labeled  
"PROPOSED" or "DRAFT"]

Hand delivered responses should be brought to Crystal Park 5, 2451 Crystal  
Drive, Arlington, VA, 7<sup>th</sup> floor receptionist.

A handwritten signature in black ink, appearing to read 'Mark Fadok', with a stylized, flowing script.

Mark Fadok

Patent Examiner